

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Dennis A. Cornell, Associate Justice; Honorable Gene M. Gomes, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Diana Monopoli, Deputy Clerk.

F040559 Parker-Renfrow v. Albertson's Inc.

Cause called and argued by Peter R. DiDonato, Esq., counsel for appellant. Susan Jackson, Esq., counsel for respondent waived oral argument.

Cause ordered submitted.

The court adjourns.

F041421 People v. Jefferson

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F041421 People v. Jefferson

The judgment is modified to stay the concurrent three-year term the court imposed on count 4. The trial court is directed to prepare an amended abstract of judgment that incorporates this change and which reflects that the arming enhancement in count 2 was imposed pursuant to section 12022, subdivision (b). The trial court is further directed to forward a certified copy of the amended abstract of judgment to the Department of Corrections. As modified, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F043255 People v. Uribe

No brief having been filed by appellant after notice duly given under rule 37(b) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F042844 In re M.B., a Minor

The cause is submitted for decision.

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F042844 In re M.B., a Minor

The order terminating parental rights is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F040590 Mennucci v. CA Capital Insurance Co.

The judgment is affirmed. Costs on appeal are awarded to Mennucci. Cornell, J.

We concur: Vartabedian, Acting P.J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041761 People v. Hooks, Jr.

Appellant's petition for rehearing filed herein is denied.

F040696 Gerardi et al. v. Gutt et al.

The order granting new trial is affirmed. Plaintiffs/respondents are awarded costs on appeal. Vartabedian, Acting P.J.

We concur: Wiseman, J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F039242 People v. Hollie

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F040442 People v. Vigil

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F041525 People v. Alba

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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- F041525 People v. Alba**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F041745 People v. Wilson**
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.
- F041745 People v. Wilson**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F041875 In re Johnathan M., a Minor**
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.
- F041875 In re Johnathan M.**
The judgment is reversed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F040826 People v. Rojas**
Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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F042221 Farani v. Farani

For good cause shown, appellant's motion to set aside the dismissal of his appeal and to reinstate the appeal is granted. Appellant's opening brief received on August 20, 2003, has been filed this day. Respondent's brief shall be served and filed within 30 days of the date of this order.

F043608 Rodney C. v. The Superior Court of Stanislaus County; Stanislaus County Community Services Agency

The petition for extraordinary writ is denied. The opinion is final forthwith as to this court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F040772 Anzivino v. Anzivino

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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F040772 Anzivino v. Anzivino

The order filed December 5, 2001, is modified to delete the sentence requiring Michael to pay all expenses of all educational fees and costs of the two minor children and to replace it with the following: "All educational fees and costs of the two minor children shall be paid one-half by petitioner and one-half by respondent." As modified, the order is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F043073 People v. Bradshaw

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F043553 Guadalupe S. v. The Superior Court of Fresno Co.; Fresno Co. Dept. of Children & Family Services

Pursuant to the terms of this court's order of September 10, 2003, and the failure of any party to request oral argument, the oral argument date of October 2, 2003, is vacated.

This matter is deemed submitted on the date of this order.

F042975 In re Bill Von Kageler on Habeas Corpus

Petitioner is directed to cause a notice of appeal to be filed, on or before 30 days from the date of the filing of this opinion, in Fresno County Superior Court action No. 580795-3. Let a writ of habeas corpus issue directing the Clerk of Fresno County Superior Court, if she receives the notice on or before 30 days from the date of the filing of this opinion, to file the notice, to treat it as being timely filed, and to proceed with the preparation of the record on appeal in accordance with the applicable rules of the California Rules of Court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]